

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
vs.)
)
ANTHONY JOSEPH ADEWUNMI,)
CHRISTIAN JOEL JUAN, and)
PATRICIA DENISSE OLMOS,)
)
Defendants.)
)

Case No. 4:10cr0291 JCH

MEMORANDUM AND ORDER

This matter is before the Court on the Motion of the United States to Reconsider or Clarify Docket Text Order (Doc. No. 78). This matter is fully briefed and ready for disposition.

Upon reconsideration and the briefing of the parties, the Court grants the Motion of the United States to Reconsider or Clarify Docket Text Order (Doc. No. 78) and denies Defendant's Motion to Exclude Evidence of Missouri Real Estate Commission Settlement Agreement (Doc. No. 39). Under Rule 408, statements made in compromise negotiations are admissible "when offered in a criminal case and the negotiations related to a claim by a public office or agency in the exercise of regulatory, investigative, or enforcement authority." Fed.R.Evid. 408. The Court finds that the Joint Stipulation of Facts entered into between Defendants and the Missouri Real Estate Commission falls within this provision. Further, the Court finds that Fed.R.Evid. 403 does not bar the admission of the Joint Stipulation of Facts under the present circumstances. The United States has agreed to

redact the Settlement Agreement to prevent unduly prejudicing Defendants.¹

CONCLUSION

Accordingly,

IT IS HEREBY ORDERED that Motion of the United States to Reconsider or Clarify Docket Text Order (Doc. No. 78) is **GRANTED**.

IT IS FURTHER ORDERED that Defendant's Motion to Exclude Evidence of Missouri Real Estate Commission Settlement Agreement (Doc. No. 39) is **DENIED**.

Dated this 16th day of December, 2010.

/s/ Jean C. Hamilton
UNITED STATES DISTRICT JUDGE

¹The Court notes that the United States has agreed to "redact all parts of the Settlement Agreement not included in the 'Joint Stipulation of Facts.'" (Doc. No. 36, p. 5). Additional redaction also may be necessary, such as excluding "Count" from the text of the Joint Stipulation of Facts.